

REMARKS/ARGUMENTS

1. Applicant takes notice that the Examiner has not objected to the drawings submitted with this application.
2. Claim status: claims 1-17 are pending in this application, and claims 1 and 10 have been amended to overcome the objections and rejections under 35 USC §103(a) by Jennings, et al and Vittone by adding further limitations into claim 1 so as to place claims 1-17 into condition for allowance. Applicant therefore respectfully requests that a timely Notice of Allowance be issued in this application.
3. In support of the amendments to claim 1, it is clear from the description and drawings originally submitted in this application that these amendments are not new matter and are not such as to require further consideration or search. Clearly, the elongated (rectangular) hand gripping windows are necessary to allow for fixed, spaced apart and integral cross bars. Thus this shape is not arbitrary or obvious, but of utility and necessary to enable the objectives of the invention. Neither the apparatus of Jennings et al nor that of Vittone teaches spaced apart fixed cross bars and such is not suggested in these references, nor would it be considered to be an obvious variant of the rejecting references. In fact both of these references teach away from fixed cross bars by providing for rotation of the single cross bars (within each window) that they describe. Your applicant has found that fixed cross bars set at fixed angles has advantages to the weight lifter in terms of convenience and proper angle set for correct muscular movement; such advantages are not possible with the apparatus of the references.
4. A petition and fee for extension of time in the present response of 1 month is enclosed herewith. Therefore this amendment is timely filed as of the date of deposit shown below.

Respectfully submitted,



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Certification

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: "Mail Stop: Fee Amendment, Commissioner for Patents, Arlington, VA 22313-1450" on 1/31/05 a Monday, date of deposit.

Signature of person mailing this correspondence:



Gene Scott